and a necessary thing for protecting themselves against libellous attacks. Secondly, the legal formalties that stood in the way have been done away with.

With these words, Sir, I support this Bill. Thank you.

STATEMENT BY MINISTER

Espoinage activities of two officials of the Pakistan Embassy.

(**The Deputy Chairman** in the Chair)

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): Madam, Two Pakistani nationals were detected by the Special Branch of the Delhi Police at Ranjit Hotel on the evening of 30th November, 1988, while they were in the process of receiving a secret Defence document from an Indian contact and passing over to the Indian contact a sum of Rs. 50,000/-. There was also another Indian national who was an accomplice of the Pakistani nationals.

When they were apprehended, one of the Pakistani nationals claimed that he was a diplomat although he had no documents to establish this. It was subsequently confirmed that he was Brigadier Z. I. Abbasi, Military Attache in the Pakistan Embassy. His associate was identified as Mohammad Ashraf Khatib, an official of the Pakistan Embassy. After observing the usual formalities, Brigadier Abbasi and Mohammad Ashraf Khatib were released. A case has been registered under the Official Secrets Act.

The Government of India have declared Brigadier Abbasi *persona non grata* and have advised the Pakistan Embassy that Mohammad Ashraf Khatib is also no longer acceptable. The Embassy has been asked to ensure that they leave India within twentyfour hours.

THE DEPUTY CHAIRMAN: Yes, Mr. Kapil Verma.

SHRI KAPIL VERMA (Uttar Pradesh): Madam, this incident really disturbs us in more than one way. Probably, action had to be taken and it could not have been delayed because, for the last six months, the military attache was indulging in these espionage activities. He was a diehard Zia man and was sent specially by Zia here to plan and prepare his own blueprint subversion in India. Probably it is not known to many that he was in touch with some members of the respected intellectual profession in our country and it is a great shame—and this aspect disturbs us more—that our own countrymen were involved in helping him in these espionage activities.

Now, Madam, I would like to know whether the Minister is going to take some deterrent steps to ensure that our own people are not involved in such activities. Madam, you will be surprised to know that this Brigadier was trying to get published a book, "Scenario 1989" and this was by Ravi Rikhey. This was a blueprint of what Zia thought would happen to India in 1989, and it said that there would be a Sino-Pak invasion of India, that Jammu and Kashmir would be taken away by Pakistn that Khalistan would be formed and that Arunachal Pradesh would be taken away by China, and so on. He was trying to get that book published in India. He could not get any publisher. So they were trying to get it done in the West. It is a shame that an Indian should write this book, even though it was based on imagination. We know that only a few weeks ago in NOIDA a senior army officer was caught in espionage activities. I am told that a number of other diplomat have been found involved in espionage activities. I would like the Government to tell us about them if it does not affect our security. Madam, it is unfortunate that this type of step had to be taken; it could not have been delayed and it had to be taken at a time when a new Government will probably be taking office in a day or two in Pakistan. We all wish Pakistan well. We very much welcome the installation of democracy again in Pakistan. Whichever Government comes into being there, we will deal with them. We wish them all well and we earnestly hope that this incident will not affect our rela-

[Shri Kapil Verma]

tions, will not create any bitterness. But they must also stop this kind of pinpricking. The Brigadier was a Zia man. He wanted to sabotage possibilities of improvement in our relations. He knew that when the new Government is formed in Pakistan it will have good relations with India. So he was indulging in this kind of activities. I hope that when he goes away and a new man comes, it will be better for us. Anyway, I also want my Government to assure the new Government of Pakistan when it comes, the new Prime Minister, the people's Prime Minister, that we want very good relations with Pakistan, and if there is any misunderstanding on this issue it should be cleared so that we start on a very cordial note. Will the Minister assure that new Prime Minister of Pakistan, whenever he or she comes, that India wishes them well and we do not want this incident to sabotage or affect our relations?

PROF. C LAKSHMANNA (Andhra Pradesh): Madam Deputy Chairman, it is unfortunate that our Government and our people have to be subjected to such kind of espionge onslaughts. But the Statement made by the Minister for External Affairs is a very bland one. Keeping in view the seriousness of this particular offence committed by the Pakistani national, we expected that the Government of India would come forward with such information and take the nation into confidence as to how they are going to deal with the situation. So in this connection I have a few clarifications to seek from the Minister.

In the first instance, I would like to know, who is this Indian contact and who is the other Indian national who is also involved in this? Are these two individuals, or they form part of a network? Madam, there have been earlier cases of espionage, individuals involved in it. Therefore, it gives us all the apprehension whether these activities are undertaken by individuals or as part of the network which has been functioning in this coutry. This is the first clarification I would like to seek.

Secondly, about the two Pakistani nationals who are from the Pakistani Embassy as per the information given by the Minister, what is their background? Has the Government of India already any information about Mr. Abbasi and also about Mr. Mohammad Ashraf Khatib? What was their background or their history for such espionage connections and activities while they were working in India or elsewhere? If they had espionage background and history, then it gives clues as to the type of the network in which they could have been working, both of this country and internationally. Madam, these two persons have been considered as *persona non grata*. They have been asked to be deported from this country within 24 hours. What steps are being taken by the Government of India to pursue this matter that these persons are deported? Is the Government of India aware of any counter-charges that would be framed by them, because whenever some people are deported and are asked to go away, there will, as has been the case all over the world be counter-charges? Is there any such offensive on the part of the Pakistani Government? If there is such an offensive, then the gravity of the situation will be much more than what it is. If the whole thing has been taken by the Pakistani Government in its stride, then I think there can be a little more comfort on the part of the Government of India. Therefore, I would like to know what information the Government of India is having with regard to the possible response from Pakistan. What has been the response so far when the matter was brought to their notice? Finally, I would like to ask only one more question. We have been subjected to such onslaughts constantly. Every time, the House and the country has been assured that all steps are being taken not to allow repetition of such activities. It happened earlier in cases of similar nature. I would like to know from the Government how is that we are failing to take foolproof measures by which such activities could be eliminated completely or if not eliminated fully, at least they could be brought down to a mimimum. Thank you.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उप सभापति जी, आज जब इस पूरक एजेंडा की जानकारी हुई

तो मुझे बड़ी प्रसन्नता हुई कि विदेश मंत्री अपने से ही वक्तव्य देने जा रहे हैं। किसी ने मांग नहीं की है, उसके बावजूद भी वक्तव्य देने जा रहे हैं। लेकिन इस वक्तव्य को देख करके बहुत ही निराशा हुई, जितना वक्तव्य मंत्री जी के इस कागज में है इससे अधिक जानकारी आप सभी को दिल्ली में जो समाचार विभिन्न समाचार-पत्रों में प्रकाशित हुए है उनसे हो चुकी है। लेकिन फिर भी यह एक ऐसा विषय है जिससे देश की हमारी जो रक्षा है और उसकी जो सीमा है उसको खतरा भी उत्पन्न होने की आशा लगती है। मैं सिर्फ दो-तीन सवाल पूछना चाहता हूं।

एक तो यह कि जो भारतीय वहां पर थे, क्या उसका नाम सुभाष चंद दत्त नाम का वह कोई वकील है? दूसरे, वहां पर यह जो कागज हैं रक्षा विभाग के जो गुप्त दस्तावेज थे ये कागज जरूर बरामद हुए होंगे, तो मैं सिर्फ यह जानना चाहता हूं कि आफिशल सीक्रेटस एक्ट में तो यह मुकदमा दर्ज कराया ही है लेकिन ये कागज अपने देश के रक्षा विभाग के जो अधिकारी होंगे बिना उनकी साजिश के किसी भारतीय नागरिक के पास या जो पाकिस्तान दूतावास के अधिकारी थे यह दूसरा जो मोहम्मद अशरफ वहां पर था इनके पास पहुंच नहीं सकते हैं। तो इस सिलसिले में मैं जरूर चाहूंगा कि क्या कोई विभागीय जांच भी आप बैठायेंगे, आफिशल सीक्रेटस एक्ट में जो आपने मुकदमा कायम किया है उसके अलावा? तीसरे, यहां पर कुछ फोटो भी बरामद हुए हैं ऐसा समाचार समाचार-पत्रों में था कि जो गुप्त दस्तावेज बरामद हुए उसके अतिरिक्त कुछ फोटो भी बरामद हुए हैं। मैं सिर्फ यह जानना चाहता हूं कि गुप्त दस्तावेज में वह फोटो भी सम्मिलित हैं या गुप्त दस्तावेज के अलावा फोटो हैं, क्योंकि आप यह भी कह सकते हैं कि गुप्त दस्तावेज में वह फोटो भी सम्मिलित थे? चौथे, अभी हाल में दिल्ली में ही नौएडा है वहां पर अपनी मिलिट्री के बहुत ही बड़े अवकाश प्राप्त भारतीय उच्च अधिकारी जासूसी के मामले में गिरफ्तार किए गए हैं, अभी मुद्दत हुई करीब एक सप्ताह हुआ होगा, तो उस सिलसिले में मैं यह भी जानना चाहता हूं कि कहीं ऐसा तो नहीं कि जो अधिकारी गिरफ्तार किए गए हैं उनका इनका आपस में कोई लिंक हो?

SHRI LAL K. ADVANI (Andhra Pradesh): Madam Deputy Chairman, it is good that the External Affairs Minister has made a statement *suo motu* on this particular matter though I am inclined to agree with some of my colleagues that it would be better if the House could have a fuller discussion on our security arrangements and the espionage activities that go on in the country. This is particularly relevant when one recalls that within days of the assumption of office by this Government—It was in the middle of January, 1985 that this Government assumed office—or within 3 or 4 days, on the 18th of January, 1985, to be precise, when without any item being on the agenda, the Prime Minister arrived in the House to make an announcement that an espionage ring has been busted. In this he disclosed the existence of an epionage network involving leakage of sensitive and classified documents from certain offices and Ministries of the Government of India. The matter was followed up. Some news appeared in the press. And in this very House on the 15th of March, 1985, my colleague, Shri Shanker Sinh Vaghela had tabled a Calling Aattention notice on which a very good debate took place in the House. Cutting across all parties, everyone expressed concern and said that something must be done and should be done very firmly, stringently. Certain promises were made to which I will refer later. But ever since that time right up to this day, periodically announcements of the kind that have been made today are made. But what is the follow up, the nation does not know, the Parliament does not know. Off hand, I can recall so many names—Coomar Narain, Larkins Brothers, Ram Swarup, Brig. Deol and so many...

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): Jajodias

SHRI LAL K. ADVANI: ...and Jajodias. I do not want to go into that though I am conscious that there is a difference between Indian nationals who indulge in espionage and foreign diplomats who indulge in espionage—there is a clear difference—and the steps that you have taken immediately that the person has been declared *persona non grata* and has been asked to go away, pack up in 24 hours. I am happy that the Home Minister is also here because we are not merely replying on a technical level. To that extent, I am aware. But the issue has so many ramifications, and those ramifications go beyond merely taking action against a Pakistani official. Therefore, I want to seek certain clarifications from the Minister in which perhaps, the Minister of State for Home Affairs can also assist. On that very day, when the Calling Attention discussion took place in this House, the Home Minister—at that time, Shri Shankarrao Chavan was the Home Minister—replying to the debate said—and I quote from the Rajya Sabha proceedings of that day:

> "The investigation so far has revealed the existence of a well-organised conspiracy, trading in information vital to the security of the country. It appeared to have begun as an operation for collecting commercial intelligence in the beginning and later on branched into areas having direct relevance to the security of the country."

Shortly after this, a case was filed. 19 persons were charge-sheeted and here the External Affairs Ministry comes in because those charge-sheeted were not merely Indian nationals like Coomar Narain but even two French officials, two Polish officials, five Soviet officials, two East German officials...

श्री पी० वी० नरसिंहराव: यह क्या सुना रहे हैं?

श्री लाल कृ० आडवाणी: मैं सुना इसलिए रहा हूं कि मैं इस मामले में इस मत का हूं कि एसपीओनाज को रोकने के लिए सात देश एकमत हैं। लेकिन एसपीओनाज को... (व्यवधान)

SHRI P. V. NARASIMHA RAO: Madam, if the hon. Member wants a discussion, I am nobody to stop a discussion. I would very respectfully submit to him that he should confine himself...

THE DEPUTY CHAIRMAN: To the statement now made.

SHRI P. V. NARASIMHA RAO: ... to asking clarifications on what I have read out, my own statement.

SHRI LAL K. ADVANI: I would like to know that in cases of this kind which have been brought to the country in a big way, with a lot of fanfare and in a flamboyant manner as if the Government is very alert, and after 4 years and 5 years if this House comes to the conclusion that nothing has been done after that are we not entitled to ask?

THE DEPUTY CHAIRMAN: Mr. Advani...

SHRI LAL K. ADVANI: I am not...

THE DEPUTY CHAIRMAN: Mr. Advani, you are a very senior Member of the House. You know what we are discussing. It is a very small statement of the Minister. And if you confine to it which is a serious statement... (*Interruptions*) Just a minute, please. I know that everybody is going to react to everything anybody speaks. But the thing is that in a matter where the country's security is concerned, everybody is concerned. There are no two opinions about it. That is why, immediately the Minister came with a statement, without a demand from anyone. So, voluntarily he is doing it. And he is concerned about ... (*Interruptions*) Just a minute. Let us confine ourselves. If you want a discussion, you ask the Chairman and he can allow you and we can have a whole day or two days. Because I have half a dozen names more who want to ask questions.

SHRI LAL K. ADVANI: Let us have a discussion.

उपसभापति आप इसे खत्म कर लीजिए फिर डिस्कसन की मांग कर लीजिए ।

SHRI LAL K. ADVANI: This House is given an opportunity to recall that also. Whether there will be a discussion or not, I do not know. May not be. I am told that here is so much business. The Minister of Parliamentary Affairs is here. If he says that we are going to nave a discussion, I am going to sit down, I have no questions to ask then.

SHRI P. V. NARASIMHA RAO: Advaniji, please sit down for a minute. How do you expect me to answer all the points raised by you now? You are really airing your views, expressing your views, very valid, very good in themselves, excellent views, but the point is that they do not belong here at this point of time and at this stage of discussion. That is all I am trying to submit to you.

SHRI LAL K. ADVANI: It is always done, a supplementary arising from a question. The Minister may not have ready answers, but then he can say I will reply latter, I will convey to the Member concerned.

THE DEPUTY CHAIRMAN: Mr. Advani, it is not the question.

SHRI LAL K. ADVANI: Madam, if he knows what my answer is going to be, then I have no objection.

THE DEPUTY CHAIRMAN: Advaniji this is not the question. It is a practice only in this House that when the Minister makes a statement on any issue, a Member, as a convention, not as a rule, can ask for certain clarifications. Now these clarifications should not amount to a debate. So if you have more clarifications on other issues relating to it, you are most welcome to submit to the Chairman and I am sure he will consider it if there is time of the House to do that.

SHRI LAL K. ADVANI: Madam Deputy Chairman, I am referring to espionage cases. Even about Pakistan this very year in the month of January, the IGP of Kashmir says that 15 espionage gangs have been busted, 59 Pakistanis have been arrested and apart from that one single flamboyant statement made by a police official, after that this country knows nothing whatsoever. And may be all of them have been released. When is the House going to get an opportunity of probing into the matter, finding out what has happened and therefore it is that these questions I am asking. The Minister may reply to me later on, I have no objection. The Chief Minister of Rajasthan is on record having said in the Assembly that two thousand, more than two thousand, Pakistanis have come on this side, but I cannot do anything, I have written to the Government of India.

THE DEPUTY CHAIRMAN: It is beyond the purview of the Minister of External Affairs to deal with all these questions.

SHRI LAL K. ADVANI: If the Minister can answer all these questions later on one by one, I will put them. Otherwise, I would merely say that following from the statement made by the Minister today it has become imperative and urgent that we have a full-fledged discussion on the issue of espionage rings in the country. Thank you.

THE DEPUTY CHAIRMAN: That is better.

श्री मीर्जा इर्शादबेग (गुजरात): मैडम जब देश की सुरक्षा का इतना गहन प्रश्न इसके साथ सम्मिलित है तब मैं भी आनरेबल मेंबर के साथ सहमति व्यक्त करता हूं । कई मौकों पर क्लैरिफिकेशन के लिए बहुत ज्यादा समय दिया गया है तो यह बहुत गहन प्रश्न है और इस पर कुछ ज्यादा समय दिया जाना चाहिए या ज्यादा समय देकर आप चर्चा के लिए आश्वस्त करें ।

THE DEPUTY CHAIRMAN: It is a very serious matter of espionage and Mr. Advani and the rest of the House are all concerned about it. I have got a lot of names who are going to ask questions.

SHRI LAL K. ADVANI: Madam Deputy Chairman, if you permit me, I want to ask one question.

THE DEPUTY CHAIRMAN: I will definitely permit you, Mr. Advani. If the House so wishes, you can make a request to the Chairman for a full-fledged discussion, because the External Affairs

[The Deputy Chairman]

Minister, I do not think he has got all the answers. Many Ministeries would be involved. Let the Government come back with a better answer to this question.

SHRI A. G. KULKARNI (Maharashtra): Madam Deputy Chairman, the proper way is that Mr. Advani and others should give a notice to the Chairman so that a discussion can take place because how can he reply just now.

SHRI LAL K. ADVANI: In that debate the Minister of Home Affairs had said that the matter has been gone into at the highest levels and a committee has been constituted to streamline security procedures, in particular to go into the treatment and handling of all classified information. I would like to know whether this committee has completed its work and what are the recommendations of this committee and what has been done in pursuance of those recommendations.

SHRI MURLIDHAR CHARDRAKANT BHANDARE (Maharashtra): Madam Chairlady, today otherwise is a very auspicious day in Pakistan because democracy has been restored; Begum Benazir Bhutto has become the Prime Minister, and we must express our greetings at this event and, therefore, it is a matter of some regret that this incident should have come on a day like this.

I agree with what has been stated that the statement is a little cryptic, because we are not better informed than what we read early morning in the newspapers or what we heard on the TV yesterday. I can fully appreciate that no names are given; but if these persons are going to be produced before the court—and they must have been produced before the court by now—in any event their names will appear tomorrow in the newspapers and if that be so, I feel there is nothing wrong if the Minister of External affairs also takes the House into confidence because all sorts of rumours are there, and once they come before the court, there is no restriction on the newspapers unless proceedings are held in camera. So, all sorts of rumours are there. I heard a rumour that one person arrested, an Indian ...

SHRI LAL K. ADVANI: You are spreading it.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: On a matter like this I do not think I am spreading anything: I am only inviting the attention; I am only seeking a clarification.

SHRI LAL K. ADVANI: Don't call it rumour then.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Therefore, the first question which I want to ask is how did this Indian contactman and the other Indian national get this information for being passed over to Pakistani Brigadier Abbasi. That is the first thing. At least some sort of indication should come because against what was detected yesterday, arrest is only a tip of the iceberg. I think it is a very very wide-ranged network, as somebody used the word, and it does not restrict itself to isolated case of a contact man or another Indian national accompanying that contact man. According to me, large areas must have been tapped and contaminated, if I may use that word, like External Affairs, Defence, Home and many other areas, because it just can't be; it is a very vcery sophisticated operation and if one sees the ramifications which have been expressed, one finds the influx in Jammu and Kashmir, in Rajasthan, and as has been explained , even a book is sought to be published, which will demoralise the Indian army I see a very very frightening picture of the whole thing and I think that though this statement has been made today, but when the Minister is in a better position to make a fuller statement we should not really stop at this getting only one time statement and that is all and then the rest of it we will start reading and seeing pictures in *Illustrated Weekly* and other magazines. I think it would be a very healthy Parliamentary practice if after a while, on a very sensitive and very important issue like this which affects the unity and integrity of our country and sovereignty of our country, the hon. Minister, whoever

is really responsible for giving the information—may not be the Minister of External Affairs—comes forward and places better material before the House.

[The Vice-Chairman (Shri H. HANUMANTHAPPA) *in the Chair.*]

SHRI P. K. KUNJACHEN (Kerala): Sir, even though the statement is very small, it is a very very serious and important issue before the House. It is really unfortunate that this espionage has taken place at this moment, especially when a change is going to come in Pakistan. Now under the new circumstances, let us hope that all this will be put to a complete stop hereafter. But this a matter not ending with Pakistan alone. It is a long 4.00 P.M. history. Shri Advani said about this. I do not want to go into the details. This espionage is a continuous thing. I do not know how they are able to pass on secret defence documents on many occasions. When it took place once or twice, the Government should have been in a position to prevent such things thereafter. This has not been prevented till now. It is going on. Though, earlier several committees were appointed and their reports were there, nothing has happened so far. I would like to know what the Government is going to do to prevent such things completely in future.

I would also like to know whether some intruders are engaged in this or some agency. They deserve the stringent punishment. At the same time, they must be brought before the people. They must be exposed because they are endangering the safety and sovereignty of the country. They should not be merely dealt with at the official level alone but they should be exposed before the people. Is the Government prepared to give their names?

Government will also have to think of having a discussion on this thing because it is a continuing affair. I hope Government will allow a fullfledged discussion in the House. They should also take preventive measures to prevent such things in future.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): Mr. Vice-Chairman, Sir, the External Affairs Minister's statement must have been a very thought-provoking one in the sense that it has provoked Mr. Advani's suggestion for a fuller discussion on the security aspect which is otherwise very serious and which should not have been bypassed for such a long time.

Nobody expects the External Affairs Minister's statement on such an occasion to be a very colourful one. My friend, Prof. Lakshmanna, said that it is a very bland one. While not being a colourful one, it could have been a bit more forthcoming. For example the two Indians; the question of their identity has been raised here. Almost in a very nice way, it has, perhaps, been said that they are under custody. Since four were apprehended and two diplomatic personnel were released, the other two are under custody, by inference. But Sir, if I may be excused the use of such a term, the niggardliness regarding information could, perhaps, have been best avoided if the hon. Minister thought it fit to take Parliament into confidence. Parliament should be taken more into confidence.

I very well understand that it may infringe the diplomatic niceties or requirements. But while observing the diplomatic niceties, it is possible to part with more details for the consumption of the House. By tomorrow it will be seen, perhaps, that many more things have come to light. I would, therefore, ask of the External Affairs Minister to give some more information regarding the two Indians who were involved in this, the one who received Rs. 50,000 and the other. I hope that this incident happening at a very crucial time would have no adverse effect on India's relations with the emerging democratic government, if that comes up, in Pakistan. On that core also the External Affairs Ministers may have some information because espionage is resorted

[Prof. Sourendra Bhattacharjee]

to by both, inimical and friendly countries, it is a part of an international game. So, I hope it won't affect our relations, but on that aspect I would like the Extenal Affairs Minister to assure the House.

SHRI N. E. BALARAM (Kerala): Mr. Vice-Chairman, it is a very serious matter, I agree, but the hon. Minister has mentioned only about the two Pakistani nationals and their attempt to make some espionage activities in India. Of course, they are the people attached with the Embassy and the Government has taken the necessary action, that is good, but if you want to do some espionage work someone here in India also must be cooperating with them. On that account this document or the statement is nothing. Tomorrow the nature of the espionage and all other things will come in the press, I have no doubt about it, but the hon. Minister should have come out with some more details about the secret nature of the defence documents. It is not a small thing that they have taken, they are trying to take away one of the secret documents of the Defence Department. We do not know what the nature of that document is, what consequence it can have on the security of our country. Was that document in the hands of a particular Indian who was trying to pass it on to another Indian? Naturally, all these things will come to light in the press tomorrow but we would have liked the hon. Minister to tell all these things. Otherwise, what is the meaning of making this statement in this House? This is not the way to introduce a subject like this in this House. This is not the serious way on the part of the External Affairs Minister to deal with this subject in this House, I want to tell you that. Today what do I get from this statement? I have not got anything more than what we have already read in the newspapers early in the morning. You could have informed the House about the nature of document, how many people are involved, what is the entire position. We are anxious to know that. Not that we are sitting on the opposition benches we are making these remarks. We are concerned about the developments. It is no use saying that it is a small statement and, therefore, we should ask only one question. We are not students, we are Members of Parliament, we should know the developments of the country, which sort of document has been taken away, who are the people involved. These are the things we want to know. Otherwise, according to me this statement has no meaning, I am sorry to say that. If possible, the hon. Minister may tell us, is it a very serious defence document that was tried to be taken away from our country? If so, who are the Indian people involved? Is there any defence official involved? Sometime back I read in the paper that some top military man was doing some espionage work. These reports are coming in the press. So, could you please enlighten us on these points? Otherwise, I do not think any purpose is served out of this small statement and asking us to ask one question. This is very difficult. I am sorry for this.

SHRI P. V. NARSIMHA RAO: Who is asking you to do that?

SHRI N. E. BALARAM: Then what is the meaning of this statement? Clarification means, we must have something to clarify. You are not giving anything to us more than what has appeared in the press. I thought some new information will come, when I got the information that you are going to make a statement, apart from what we have read in the newspapers in the morning. But there is nothing.

SARDAR JAGJIT SINGH AURORA (Punjab): Mr. Vice-Chairman, Sir, I am inclined to agree that if a statement is going to be a repeat of what has already appeared in the morning newspapers, asking for clarification is a difficult job because there is very little additional information in this statement. As you know, intelligence-gathering is one of the jobs of a Military Attache, but espionage is not. So to that extent, this gentleman has been indulging in espionage. Therefore, one would like to know the seriousness of it, especially the information that has been passed on and the person, who has passed it on. Is he a Government official? Did he have access to this information? And if he is not a Government official, as somebody said that he is a lawyer or somebody, then what about the security of

the defence documents? May we know what is really done about it? Because recently there have been many other cases where a certain amount of defence information has backed out through various other sources. It is a matter of concern and I do agree with hon'ble Shri Advani-Ji that there is need to discuss this problem and there should be a special discussion on this.

Briefly what I wanted to ask was—the type of information, the person concerned, how he could get hold of this document and why there are still loopholes in our security that these documents are becoming available to certain persons which can be passed on. Thank you very much.

श्री हरि सिंह (उत्तर प्रदेश) : मान्यवर, मैं यह कहना चाहता हूं कि यह जो घटना है इसमें दिल्ली पुलिस की विशेष शाखा ने बहुत अच्छा काम किया है। यह बड़े खेद का विषय है कि पाकिस्तान ने हमारे देश में जासूसी का जाल बिछाया हुआ है। काश्मीर में और हिन्दुस्तान के अन्य बहुत से हिस्सों में इस प्रकार की घटनायें सुनने में आई हैं। मैं माननीय मंत्री जी से सीधे-से सवाल पूछना चाहता हूं। पिछले तीन साल के दरमियान पाकिस्तान एम्बैसी के कितने आदमियों को यहां से जासूसी के सिलसिले में निकाला गया है और कितने आदमियों का, भारतीयों का, इनसे संबंध है? जिन लोगों का इन लोगों से संबंध है वे क्या काम करते हैं, कहां उठते-बैठते हैं और क्या ये लोग बीच-बीच में विदेश भी जाते रहे हैं? इसके अलवा मैं यह पूछना चाहता हू कि जो पाकिस्तानी नागरिक इसमें पकड़े गये हैं, जो ब्रिगेडियर अब्बासी पकड़ा गया है, वह भारत में कितने दिनों से है और उसका भारत में मिलने का सर्कल कहां-कहां है? क्या इन लोगों ने हिन्दुस्तान के किसी हिस्से का दौरा भी किया है? मेरी जानकारी यह है कि ये लोग पिछले चार-पांच महीनों से काश्मीर में और हमारे ईस्टर्न स्टेटस में एक्टिव रहे हैं। तीसरी जानकारी मैं यह लेना चाहता हूं कि क्या पाकिस्तान ने जासूसी के लिए कुछ महिलाओं को भी लगा रखा है? क्या इन बातों की जानकारी सरकार के पास है? मैं यह स्पष्ट रूप से जानना चाहता हू कि कितने ऐम्बेसी के लोगों को जासूसी के अपराध मे हिन्दुस्तान से निकाला गया है?

SHRI ANAND SHARMA (Himachal Pradesh): Mr. Vice-Chairman, Sir, through you I would like to ask the hon. Minister, given the seriousness of this particular incident where a Military Attache of Pakistan is involved in espionage, whether there is any coordinated effort on the part of the various agencies at the disposal of Government of India, whether it is RAW or Intelligence Bureau or the local police to keep a tab on the activities of suspicious diplomats or those about whom the Government has some information about similar activities. I want to know whether there is any check in advance or not, when diplomats are accepted in this country, about their background and their past activities. Certainly we do not expect the honourable Minister, through these clarifications, to give us more information, and the intention of official secrets. But every now and then we read in the press about the arrest of some ex-officers, arrest of some arms dealers all involved in espionage. Not only that. In the recent past, in the last few years if I may have to be precise, there has been an increase in these activities. What effort is being made on our part? We do not want to know the details. How to check this, because it is a very serious matter if anybody could get through to secret defence documents, walk to a restaurant and hand over those documents to somebody? In the past there was an incident when important documents were taken out and photostat copies were made, just across the road. So we have to learn lessons. We have to tighten up our intelligence and there has to be a coordinated effort for the future. At least that we would like to be assured of.

[Shri Anand Sharma]

Another thing I would like to know is, Sir, whether the Military Attache of Pakistan, along with the other Pakistani national identified, was working alone or whether the Pakistan spy ring in India is coordinating its activities with the spies of some other countries who are also interested to know about India's military secrets. So, do we have to take this particular incident in isolation or do we have to take a comprehensive look at it so that we plug the loopholes for the future?

Thank you. ..

DR. G. VIJAYA MOHAN REDDY: Sir, at the outset I would really appreciate the detection work that has been done where the culprits have been caught redhanded. We can prove before the world the intentions of certain very important personnel of the Pakistan Embassy. It is said that one of the nationals was specially interested in Punjab. That has also been revealed by the press.

We know that espionage has now become big business because, wherever these things go on, along with them gold biscuits will come and narcotics will also come. The entire panorama is such that a galaxy of people are involved—ex-Army Generals, travel agents, armament dealers, industrialists, Government servants, all types of people. Have a signboard, attract people and then do all these things! That is why there is an immense risk.

I think we are working with an old Act. I doubt whether the Official Secrets Act is enough to punish the culprits. Why can't there be capital punishment to deter these people? Persons who engage themselves as spies should be shot dead. Why can't there be a law like that? After all, the defence of our country is the first prerogative of any Government that is there.

SHRI SATYA PRAKASH MALAVIYA: Do you mean without trial?

DR. G. VIJAYA MOHAN REDDY: Not without trial ...*(Interruptions)*... Trial is always there. But the Official Secrets Act of 1923 provides punishment with imprisonment for three years or fourteen years and several times several people come out on bail and so many are not traced. As has been pointed out on the floor of the House, in 1987 three thousand Pakistani people had simply disappeared. What is our Embassy there doing? Why can't some kind of details of these individuals be provided when those people come here? Like this, Sir, it is a very large area on which there should be a through discussion. The House is very very gravely concerned about thts matter, I want to bring to the attention of the hon. Minister.

SHRI P. V. NARASIMHA RAO: Sir, I entirely share the statements and views expressed by the hon. Members. This is a serious matter, and the person who has been seen indulging in this is, perhaps for the first time, a very highly placed official. The Military Attache of an embassy is a very highly placed official. As far as I could recall, there is no other incident in which such a highly placed official himstlf indulged in this. So, it becomes doubly serious.

When such a thing happens, when a foreign national, particularly a foreign national enjoying diplomatic immunity is involved, the first responsibility falls on the Ministry of External Affairs. You have to deal with this situation in the Ministry of External Affairs. Immediately it is brought to its notice by the investigating agencies or those who are involved in catching this person, apprehending this person.

In the first instance, if he says that he is a diplomat but he has no papers to show that he is a diplomat, someone has to certify that he is a diplomat, someone has to identify him as a diplomat. Even if he says "I am so and so", he cannot be taken at his word. He may be mentioning some name. So, someone who knows that person as the person bearing that name, has to be found. He has to go and identify that person. Then their embassy also has to be contacted. They have to come and identify. When on diplomatic immunity the man is released, he has to be released in the presence of someone representing the embassy. So, there are some set rules, these had to be followed, and these have been followed.

I have come to Parliament at the earliest opportunity to inform what has been done by the Ministry of External Affairs for the simple reason that a highly placed diplomat has been involved in this.

Who else is involved? Who are the Indians? Naturally, there have to be Indians. I have already said that two Indians were there on the spot. But those two Indians could not have got hold of this document without others being in the chain. It could be a network. But all this will come out in the investigation, and that information it is just not possible to have now, at this moment.

I would also like to point out, I could have reeled off the names of the Indians also. I know that the names of the Indians are going to come out tomorrow. Anyone who looks into the FIR will know that. But the point is, between my mentioning the names and someone coming to know the names, even if a few hours intervene, that would be good because within those few hours certain evidence may be obliterated. So, we have to be very careful and avoid to come out with the names as long as possible so that the investigation is facilitated. This is all the intention, Sir. There was no question of my hiding the names or being eager to hide the names. I know the names cannot be hidden beyond a point. So, this is the position in which we find ourselves today.

If a debate is wanted, by all means we can have it. If more information is needed, my other colleagues who are in charge of the investigating agencies, will come up with the necessary information and place it before the House. What I have done is what I must do today and what I must not fail to do today because a foreign diplomat has been involved. Two foreign nationals have been involved, of whom one is a foreign diplomat. Therefore, this is a matter of urgency, and I have come to the House. This is what I can say at the moment, Sir. More will come, I am sure. This is not the end of the story. I am sure, when more information is available in some form or other, it will come before the House.

COMMISSIONS OF INQUIRY (AMENDMENT) BILL, 1988—Contd.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The House will now continue discussion on Commissions of Inquiry (Amendment) Bill, 1988. Shri Aladi Aruna.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM (Tamil Nadu): Though it is a piece of legislation, it is a spearhead legislation against fair criticism and the freedom of the press.

As far as the amendment to Section 5B is concerned, we extend our support without any reservation. Appointment of assessor is quite necessary to collect materials and particulars so as to unearth the facts.

As far as amendment to Section 10A is concerned, it is unwarranted, unnecessary and even obnoxious. Commission of inquiry is not a judicial body; it is not a court of law. It is merely a fact-finding agency. It is doing some exercise in unearthing the facts. It is true and I admit that on certain occasions press and platforms exceed the limit in giving its opinion or criticising the functions of the commission of inquiry. It might have caused agony in the mind of the commissioners of inquiry, but we must keep in mind that the commission of inquiry is ordered only on public matters over which press has a legitimate right to criticise and to give its comments. So, we cannot bring in a piece of legislation to muzzle the rights of press. If its right is curtailed this commission of inquiry will become a rubber stamp of party in power. Most of the orders of Commissions of Inquiry have become a farce. There is no follow-up action. Let the Minister explain to this House how many persons have been prosecuted or taken action on the basis of the findings of the inquiry. There is no follow-up action at all. That is why it is almost a mockery in democracy. That is why we are facing flood of criticisms in the press and in different platforms.

The reason for the introduction of the new procedure to protect the dignity and respect of the members of the inquiry